

VZCZCXRO9667
RR RUEHROV RUEHTRO
DE RUEHKH #0306/01 0531334
ZNR UUUUU ZZH
R 221333Z FEB 10
FM AMEMBASSY KHARTOUM
TO RUEHC/SECSTATE WASHDC 0253
INFO IGAD COLLECTIVE
UN SECURITY COUNCIL COLLECTIVE
RHMFISS/CJTF HOA FWD

UNCLAS SECTION 01 OF 02 KHARTOUM 000306

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: [PREL](#) [PGOV](#) [ECON](#) [PINS](#) [SU](#)
SUBJECT: SE Gration Meets with Senior SPLM Officials

¶1. (SBU) Summary: In a February 17 meeting, senior Sudan People's Liberation Movement (SPLM)/ Government of Southern Sudan (GoSS) officials told Special Envoy Gration that there had been good, though not perfect, progress in passing outstanding laws central to implementation of the Comprehensive Peace Agreement (CPA). Officials noted that a number of issues still needed to be negotiated between the NCP and the SPLM including: the magnitude of the planned increase in the National Assembly necessary to unblock the census/elections impasse; border demarcation; appointment of the members of the Southern Sudan and Abyei referendum commissions; and the format for discussions of post-2011 arrangements. Internally, officials stated that they were also preoccupied with providing better security in the South and preparing to take on the full responsibilities of a sovereign state, should that be the outcome of the 2011 referendum. Officials noted that these issues would be tackled in a February 20-21 meeting between Sudan President Bashir and GoSS President Kiir. Officials requested SE Gration's support in helping to leverage a diplomatic solution to these tough issues. End Summary.

¶2. (SBU) On February 17, SE Gration held a group meeting with GoSS Vice President Riek Machar, Minister of Presidential Affairs Luka Biong, Minister of Regional Cooperation General Oyai Deng, Minister of Cabinet Affairs Luka Monaja, Minister of Legal Affairs Michael Makuei, SPLM Secretary General Pagan Amun and SPLM Deputy Secretary General Anne Itto.

¶3. (SBU) SE Gration asked the officials for an update on the SPLM's negotiations with the National Congress Party (NCP) concerning outstanding provisions related to CPA implementation. Gration also requested officials provide their strategic priorities for the period between now and the January 2011 referendum. Last, he requested their vision for which format would be most constructive to facilitate discussions between the NCP and SPLM on post-2011 arrangements.

Update on NCP-SPLM CPA Discussions

¶4. (SBU) VP Machar noted that key laws central to CPA implementation - Abyei referendum, Southern Sudan referendum, popular consultation, trade union and security - had all been passed and signed by President Bashir. He stated that the SPLM was satisfied with the terms of all of these pieces of legislation, save the security law. Machar stated that the SPLM had put forth a new bill which would address some of the "anti-freedom" provisions in the penal code and criminal procedure laws. He stated that the NCP had rejected that legislation and instead offered a gentleman's agreement that the "problematic" provisions would not be enforced.

¶5. (SBU) Concerning elections, Machar explained that he and Government of National Unity Second Vice President Ali Osman Taha had failed to reach agreement on the magnitude by which to increase the number of seats in the National Assembly. Machar stated that Taha offered 40 additional seats for the South and the Three Areas; a deal that would result in the South having between 26 - 27 percent representation in the national assembly. The SPLM had

initially advocated for no less than 30 percent representation, up from the 2 percent they received through the census.

16. (SBU) Machar noted that the parties were scheduled to receive the North-South border commission's report in the coming days. Based on preliminary feedback, he assessed that five areas would be unresolved. The Vice President added that Abyei border demarcation had "stalled" and appointments had not yet been made to the Southern Sudan or Abyei referendum commissions. Last, he reminded that article 67 of the Southern Sudan referendum law mandated that the parties begin discussions on nine specific post-2011 issues.

17. (SBU) Machar hoped that with the completion of preparatory work by his team February 17-19, Presidents Bashir and Kiir would be able to resolve many of these issues in their February 20-21 meeting. He specifically solicited SE Gration's diplomatic help in resolving border issues and ensuring that the Abyei and Southern Sudan referendum commissioners were named so they could begin their work.

Strategic Priorities - Now - January 2011

18. (SBU) Although Gration requested participants to focus on top priorities, they responded with the full laundry-list. Machar stated that the GoSS priorities were full CPA implementation and preparing for the most likely post 2011 scenario of independence.

KHARTOUM 00000306 002 OF 002

Machar noted that the October 2009 USG Sudan policy statement had committed the US to help strengthen the GoSS. Specifically, Machar explained that the GoSS needed help improving governance capacity and transparency. In the security field, he requested support for demobilization, disarmament and reintegration, conflict prevention, and standing up a capable police force and criminal justice sector. In the economic domain, he stated that overall the GoSS wanted to improve economic and social indicators. The GOSS believes the best way to do that is to increase support for the UNDP local government reform program, help the Multi-Donor Trust Fund improve its services, improve access to capital, increase micro-enterprise opportunities, advance private sector investment and employment, support agriculture production, increase regional trade, and strengthen anti-corruption efforts. SPLM Secretary General Amum added that the party needed support so that post-2011 it could further "nation-building" and the harmonious resolution of ethnic conflicts, after the "North" was no longer a unifying lightning rod for dissent. In particular, Amum said the government needed to control cattle-rustling and proposed a unit in the police force dedicated to that task.

19. (SBU) USAID Mission Director Hammink assured the officials that the USG looked forward to strengthening its partnership with the GoSS in the run-up to 2011 and beyond and cited USAID's existing work in these sectors. For example, a recent USAID-funded GOSS capacity prioritization assessment completed with senior GOSS officials has refocused capacity building efforts by the donors and government on key functions of government; the USG is launching a new agriculture program with the GOSS Ministry of Agriculture in March and the USG continues with a robust local government social services program in the border states.

Format for negotiations on post-2011 arrangements

110. (SBU) In response to the SE's question concerning the most conducive format for negotiating post-2011 arrangements between the North and the South, Minister of Presidential Affairs Luka Biong Deng relayed that each side likely would have its own secretariat, responsible for providing privileged advice and counsel. In addition, there would be a shared technical secretariat, possibly drawn from the Assessment and Evaluation Commission (AEC). Biong

repeated that the NCP was reluctant to overly "internationalize" the process, a point which the SPLM has conceded. To that end, there would be no permanent standing senior level "mediator." Instead, the SPLM envisioned drawing upon the services of a number of senior level individuals, including Special Envoy Gration, President Mbeki and others, as needed, and in their respective areas of comparative advantage. Last, Biong noted that the South it intended to carry out these negotiations as the GoSS, rather than the SPLM, in order to be more inclusive of all Southerners and ensure that the results were binding agreements between governments rather than parties.

WHITEHEAD